

AMENDED IN SENATE JULY 12, 2011

AMENDED IN ASSEMBLY APRIL 6, 2011

AMENDED IN ASSEMBLY MARCH 21, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1099

Introduced by Assembly Member Bonnie Lowenthal

February 18, 2011

An act to amend Section 4755 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1099, as amended, Bonnie Lowenthal. Commercial motor vehicles: emissions standards.

Existing law requires the Department of Motor Vehicles to refuse registration, or renewal or transfer of registration, for any commercial motor vehicle with a declared gross or combined gross vehicle weight that exceeds 10,000 pounds if the owner or operator of the motor vehicle at the time of the application has been cited for a violation of specified air quality standards pertaining to that vehicle or regulations adopted by the State Air Resources Board (*board*), until the violation has been cleared, as determined by that board.

~~This bill would require the department, effective January 1, 2012, to refuse registration for commercial motor vehicle that is subject to the above provisions that is of a 1996 or older model year and requires a class A or B commercial driver's license to operate.~~

This bill would require the department to refuse registration for any commercial motor vehicle subject to registration that is of a 1996 or older model year with a gross vehicle weight rating of more than 26,000

pounds, except for any construction truck that is subject to an extension pursuant regulations adopted by the board as determined by the department.

The bill would *also* exempt from this requirement a commercial motor vehicle registered in California prior to January 1, 2012, if *the* commercial motor vehicle is continuously registered, as specified, or is certified nonoperational after January 1, 2012.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4755 of the Vehicle Code is amended to
2 read:

3 4755. (a) The department shall refuse registration, or renewal
4 or transfer of registration, for any commercial motor vehicle subject
5 to Section 4000.6, if the owner or operator of the motor vehicle at
6 the time of the application has been cited for a violation, pertaining
7 to that vehicle, of Division 26 (commencing with Section 39000)
8 of the Health and Safety Code or regulations of the State Air
9 Resources Board adopted pursuant to that division, until the
10 violation has been cleared, as determined by the State Air
11 Resources Board.

12 ~~(b) (1) Effective January 1, 2012, the department shall refuse~~
13 ~~registration for commercial motor vehicle subject to Section 4000.6~~
14 ~~that is of a 1996 or older model year and requires a class A or B~~
15 ~~commercial driver's license to operate.~~

16 *(b) (1) The department shall refuse registration for any*
17 *commercial motor vehicle subject to Section 4000.6 that is of a*
18 *1996 or older model year with a gross vehicle weight rating of*
19 *more than 26,000 pounds.*

20 *(2) Paragraph (1) does not apply to any construction truck for*
21 *which the State Air Resources Board has issued an extension*
22 *pursuant to its regulation to Reduce Emissions of Diesel*
23 *Particulate Matter, Oxides of Nitrogen and Other Criteria*
24 *Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles*
25 *(Section 2025 of Title 13 of the California Code of Regulations)*
26 *and for which the owner presents sufficient evidence, as determined*
27 *by the department, of this extension.*

28 ~~(2)~~

1 (3) Paragraph (1) does not apply to a commercial motor vehicle
2 registered in California prior to January 1, 2012, if the commercial
3 motor vehicle is continuously registered pursuant to Section 9400.1
4 or 9407 on and after January 1, 2012, or is certified nonoperational
5 pursuant to Section 4604 after January 1, 2012.

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